

06- 184M

SBK:JR
F.#2005R01617

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TO BE FILED UNDER SEAL

UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF ARREST
WARRANT

- against -

MICHAEL YOUNG,
also known as "Fes,"

(21 U.S.C. § 841(a))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

BRIAN LASKOWSKI, being duly sworn, deposes and says that he is a Task Force Officer with the United States Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, in or about and between September 2004 and August 31, 2005, both dates being approximate and inclusive, within the Eastern District of New York, the defendant MICHAEL YOUNG, also known as "Fes," did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing MDMA, a Schedule I controlled substance.

(Title 21, United States Code, Section 841(a)(1).)

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. On or about August 30, 2005, agents of the DEA arranged a buy/bust operation in which they directed a confidential source ("CS") of proven reliability to make a purchase of approximately 3,000 pills of MDMA, which is also known as ecstasy, from Andrew Ilayayev.^{2/}

2. Later that day, the CS made three consensually-recorded calls to Ilayayev to arrange for the purchase of approximately 3,000 pills of ecstasy from Ilayayev at 1213 Avenue Z, Fourth Floor, Apartment D28, Brooklyn, New York 11235 (the "Avenue Z apartment.") During the first of these calls, Ilayayev stated, in sum and substance, that his source of supply would also be present during the sale of the ecstasy, and that he would introduce the CS to Ilayayev's source of supply at the Avenue Z Apartment.

3. On August 31, 2005, I and other DEA agents set up surveillance of the Avenue Z apartment. At approximately 7:30 p.m., DEA agents observed the CS and Ilayayev enter the Avenue Z

^{1/} Because the purpose of this affidavit is merely to establish probable cause to arrest, I have not set forth all of the facts and circumstances of which I am aware.

^{2/} Andrew Ilayayev was charged in a criminal case pending in the Eastern District of New York and pleaded guilty to one count of conspiring to distribute ecstasy on November 16, 2005. See United States v. Ilayayev, Cr. No. 05-836.

apartment building. At approximately, 7:55 p.m., DEA agents knocked on the door of the Avenue Z Apartment. The defendant MICHAEL YOUNG, also known as "Fes," opened the door. When the door opened, DEA agents observed that YOUNG was holding a clear plastic bag that contained what appeared to be ecstasy pills. DEA agents then entered the apartment and arrested Ilayayev.

DEA agents recognized YOUNG as they had observed him on a previous occasion.

4. As DEA agents entered the apartment, they saw defendant MICHAEL YOUNG throw the clear plastic bag containing what appeared to be ecstasy pills on the floor. YOUNG then ran into the bedroom of the apartment and exited through the bedroom window. DEA agents recovered the clear plastic bag from the floor of the apartment. Subsequent field tests confirmed that the pills within the bag contained ecstasy.

5. Subsequent to the arrest of Ilayayev, DEA agents recovered over 4,000 additional pills from the apartment. Those pills field tested positive for the presence of ecstasy.

6. After Ilayayev's arrest, DEA agents debriefed the CS who stated, in sum and substance, that while in the Avenue Z Apartment, Ilayayev had introduced the defendant MICHAEL YOUNG, also known as "Fes," to the CS as Ilayayev's source of supply. The CS also stated, in substance, that YOUNG assisted Ilayayev in counting the 3,000 ecstasy pills that the CS had arranged to purchase from Ilayayev.

7. Given the confidential nature of this continuing

investigation, I respectfully request that this Affidavit be maintained under seal until this court or another court of competent jurisdiction orders otherwise.

WHEREFORE, your deponent respectfully requests that a warrant be issued for the arrest of the defendant MICHAEL YOUNG, also known as "Fes," so that he may be dealt with according to law.



BRIAN LASKOWSKI
Task Force Officer
Drug Enforcement Administration

Sworn to before me this
16 day of February, 2006

RML

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK